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C O N F I D E N T I A L SECTION 01 OF 03 CAIRO 000044

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FOR NEA/ELA, DRL/NESCA, G/TIP AND G/IWI

E.O. 12958: DECL: 01/12/2029

TAGS: [PGOV](#) [PHUM](#) [SOCI](#) [KWMN](#) [KISL](#) [KIRF](#) [EG](#)

SUBJECT: PROGRESS ON WOMEN'S ISSUES, DESPITE SOME GOE
MISGIVINGS

REF: A. 08 CAIRO 2577

[B.](#) 08 CAIRO 2405

[C.](#) 08 CAIRO 2310

[D.](#) 08 CAIRO 2382

[E.](#) 08 CAIRO 2251

[F.](#) 08 CAIRO 1608

[G.](#) 08 CAIRO 1192

[H.](#) 08 STATE 104830

Classified By: Ambassador Margaret Scobey for reasons 1.4 (b) and (d).

[1.](#) (C) Summary and comment: The past six months have seen significant progress on women's issues in Egypt. Recent advances for women on combating female genital mutilation (FGM) and sexual harassment and assault have stood out in an environment characterized by backsliding on issues such as press freedom (ref B) and a lack of movement on political reform. In a major step in June 2008, parliament passed a series of amendments to the Child Protection Law that criminalized FGM and raised the legal marriage age for girls (ref G). During 2008, the GOE appointed 12 new female judges and Egypt's first female mayor. During the current parliamentary session, the government plans to pass an amendment adding 56 new seats to parliament designated for women, and update family laws to provide women increased divorce and custody rights (ref A). In October and November 2008, two courts handed down unprecedented convictions on sexual assault charges (refs D and E). While the government challenged traditional religious sensibilities by pressing parliament to pass the Child Law amendments, the GOE's attitude toward the sexual assault cases was at times unsupportive, leaving civil society to play a lead role. End summary and comment.

The Child Law Amendments

[2.](#) (C) In June 2008, the People's Assembly passed a series of unprecedented and controversial amendments to Egypt's Child Protection Law that criminalized female genital mutilation (FGM) for the first time in Egypt's history, and stipulated prison sentences and fines for its practice. The amendments also raised the legal age for marriage for girls from 16 to 18, and allowed the mother of a child whose father is unknown to issue a birth certificate for the child under the mother's name. First Lady Suzanne Mubarak, the National Center for Childhood and Motherhood (a quasi-governmental NGO), and independent NGOs worked together to develop the amendments and facilitate their passage through parliament.

[3.](#) (C) Ambassador Moushira Khattab, Secretary-General of the National Council for Childhood and Motherhood (NCCM), told us January 8 that since the June passage of the Child Law amendments, the NCCM has been working to educate judges and law enforcement officials about the substance of the new laws. She characterized public resistance to raising the

marriage age as significant, and admitted that the NCCM needs to do more to educate the population on this issue. Khattab described her recent trip to the Aswan area of Upper Egypt where she attended ceremonies marking eight different villages' public rejection of FGM. Khattab said that since June these public rejections have been increasing, and that there have been "many" criminal prosecutions in FGM cases and more calls to the NCCM FGM complaints hotline, although the NCCM does not yet have exact statistics. She noted that the NCCM's most recent FGM figures for girls who marry under the age of 18 are 55 percent overall, with 9 percent in cities and 65 percent in rural areas.

New Female Officials

¶4. (C) In November 2008, the government appointed the country's first female mayor, in the Upper Egyptian town of Qena, and the country's first female marriage registrar in February 2008. During 2008, the government also appointed 12 female judges and 103 female assistant district attorneys, and increased the number of female officials in three ministries: information, industry and social solidarity. Shadia Farrag, the new female Assistant Foreign Minister for North American Affairs took up her position in August 2008, and women such as Deputy Foreign Minister Wafaa Bassim, Assistant Foreign Minister for International Organization Affairs Naela Gabr, and Minister of International Cooperation Fayza Aboul Naga continue to hold senior positions in the GOE.

CAIRO 00000044 002 OF 003

Plans for More Female MPs and Family Law Improvements

¶5. (C) During his speech at the ruling National Democratic Party (NDP) conference in November 2008, President Mubarak pledged that Egyptian law would be changed prior to the 2010 parliamentary elections to add additional seats to the People's Assembly designated for women. In his speech, Mubarak also called for amendments to personal status laws such as divorce and child custody (ref C). Minister of State for Parliamentary and Judicial Affairs Mufeed Shahab told the Ambassador December 23 that the Political Rights Law will be amended to add 56 new seats (2 per province) in the People's Assembly specifically designated for women. Shehab also told the Ambassador that Egypt's family laws will be updated "to provide women with increased rights following a divorce, and with regard to child custody" (ref A).

¶6. (C) Farkhouna Hassan, Secretary-General of the quasi-governmental National Council for Women (NCW) and a Suzanne Mubarak confidante, told us December 30 that the NCW is working on a draft amendment to the family law that would reinstitute a bank's obligation to pay alimony to divorcees directly out of their ex-husbands' accounts. She explained that banks had refused to make such payments as a result of wide-spread fraud, and that compelling the banks to resume these payments would be controversial. Hassan noted that the NCW is planning to include an amendment criminalizing this alimony fraud to assuage the banks' concerns. Hassan also told us that the NCW has forwarded to parliament draft amendments on the inheritance law, which would impose criminal penalties for depriving heirs of their legal inheritance under Islamic law. Hassan asserted that current fraud in this area disproportionately affects female heirs.

Historic Court Rulings against Sexual Assault

¶7. (C) Sexual harassment and assault in Egyptian cities are

rampant. A study released in July 2008 by the independent NGO, the Egyptian Center for Women's Rights (ECWR), found that 83 percent of Egyptian women and 98 percent of foreign women had been harassed or assaulted (defined as touching, but not attempted rape), and that half of the women surveyed had been harassed/assaulted on a daily basis. ECWR Chair Nehad Aboul Komsan told us that one particularly important conclusion of the study is that women experienced the same levels of harassment/assault regardless of how they were dressed or whether they were wearing a hijab (headscarf). Komsan noted that Tourism Minister Garannah privately criticized her for issuing the study, claiming that it would damage Egypt's tourism industry. Women's rights NGO's have begun campaigns within the past ten years to raise public awareness of sexual harassment and assault, and to lobby the GOE to take steps to protect women. The ECWR has worked with other women's rights NGOs on media campaigns to educate the public, and conducted seminars on improving legal protection against sexual harassment during the United Nations' "16 Days of Activism Against Gender-based Violence" this past fall (ref H).

¶8. (C) Long-standing efforts by civil society, as well as bloggers, to raise awareness of the issue played an important role in two unprecedented court decisions in the fall of 2008 convicting perpetrators of sexual assault. On October 21, for the first time in Egyptian history, a court heard a sexual assault case and sentenced a truck driver to three years in prison for groping the 27 year-old female film director Noha Rushdie in June 2008 (ref E). On November 17, a court convicted and sentenced a 19 year-old man to one year in prison on charges of sexual assault for the highly publicized groping and attempted rape of three women in front of a large crowd on a Cairo street in October 2008 (ref D).

¶9. (C) Throughout the fall of 2008, the GOE demonstrated an ambivalent and sometimes unsupportive attitude toward these cases. State Security officers tried to dissuade Noha Rushdie from pursuing her case by threatening to "ruin her reputation" (ref E). Then, following the landmark Rushdie verdict, prominent government figures such as Suzanne Mubarak and the Governor of Giza made public comments in mid-November downplaying the seriousness of sexual harassment in Egyptian society (ref D). ECWR Chair Komsan told us that Minister of Tourism Garannah confided to her privately that the GOE feared that negative public fallout over the Rushdie case would dissuade foreign women tourists from visiting Egypt.

CAIRO 00000044 003 OF 003

However, on November 20, 3 days after the second harassment conviction on November 17, the government took the unprecedented step of arresting approximately 500 young men and boys for sexually harassing and assaulting women and girls in parks and schools around Cairo.

Next Steps Forward on Harassment and Assault

¶10. (C) The women's rights community has been discussing new legislation on sexual harassment/assault, with the Egyptian Center for Women's Rights advocating statutes specifically criminalizing harassment and assault, which have been prosecuted up until now under a general law prohibiting "moral corruption." The ECWR also favors legislation that would stipulate civil penalties for sexual harassment/assault, believing that judges will be more likely to fine defendants than to impose prison sentences, which are currently the only penalties possible. Hassan, of the NCW, told us December 30 that her organization has forwarded draft legal amendments to parliament that would obligate judges to hand down minimum 5-year jail sentences in sexual harassment/assault cases, and would define specific forms of sexual harassment and assault. While Hassan expressed optimism about parliamentary passage of the amendments, Komsan of the ECWR told us that many MPs have expressed

reservations over the minimum five-year jail term.
SCOBAY